

'APPROVED BOND OPERATOR'

A Customs Approved Bond Operator is authorised to receive into specified premises, goods under Customs control on which the applicable excise duty has not been paid. The rate of duty liable on excise goods held in a Bonded Store, is the rate applicable at the time those goods leave the Store and not the rate that was applicable at the time of importation. For clarification, Bonded Stores only operate in relation to excise duty and therefore any liability to customs duty must be paid and any liability to GST must be either paid or fully accounted for. In order to benefit from Approved Bond Operator status, traders must abide by the following **TERMS AND CONDITIONS**:

1. To abide by the terms of Agent's Directives No's 3 and 5.
2. To maintain account details on CAESAR at all times (e.g. change of premises or contact numbers, etc).
3. To designate particular premises and specific security arrangements for the purpose of securing excise goods under Customs control.
4. To appoint someone to be responsible for those premises.
5. To remove or receive in a secure manner goods under Customs control from the care of any shipping line or airline.
6. To secure goods under Customs control within the Bonded Store, in accordance with arrangements made with Customs.
7. To make Import Declaration within 3 clear days of importation for those imported goods that have been placed into the Bonded Store. Import Declaration must be made by electronic means, that is say 'on-line' directly via the Customs website.
8. To acknowledge that the Bond facility will operate only in relation to excise duty; and that, where applicable, customs duty must be paid on goods entering the Bonded Store within 3 clear days of importation.
9. If the Bond operator is not a GST registered business, to acknowledge that:
 - i. GST must also be paid in respect of goods entered into the Bonded Store within 3 clear days of importation.
 - ii. The GST paid at this point will be that in relation to the excise-free value of the goods. The GST in relation to the excise duty element of the value of these goods will be calculated and charged when the goods leave the Bonded Store and are entered for home use.
10. To declare to Customs within 3 days of the end of each calendar month, all goods that leave the Bond and to specify at the time whether the goods are to be exported or entered for home use. These declarations are to be made by electronic means, directly via the Customs website. Any duties or taxes that become liable at that point must be paid within the same 3-day period, no further period of deferment is allowed.
11. To acknowledge that customs duty paid in relation to bonded goods, will not be refunded irrespective of whether the goods are exported from Jersey into the EU or not.

12. To acknowledge, in relation to non-GST registered Bond Operators, that GST paid on the 'excise-free' value of bonded goods cannot be refunded irrespective of subsequent export from Jersey.
13. To acknowledge that declaring goods to home use will cause those goods to be changed to excise duty at the rate prevailing **at the time the goods leave the Bond and not at the rate that applicable at the date of import or production.**
14. To pay on demand all excise duties due on goods which cannot be satisfactorily accounted for.
15. To maintain proper stock records at all times and to immediately update such records when goods are taken into or removed from the Bond.
16. To take account of goods at the time of delivery to the Bonded Store and to inform Customs immediately of any discrepancy noted at that time and the intended action to be taken.
17. To provide every reasonable assistance to Customs Officers requiring to conduct a records audit or stock take.
18. To acknowledge that the Agent of the Impôts may require a security to be paid before approval is given to operate a Bonded Store.
19. To acknowledge that the Agent of the Impôts can revoke or amend this Undertaking at any time.
20. To acknowledge that in the event of failure to abide by the terms of this Undertaking without reasonable excuse, the status of 'Approved Bond Operator' may be suspended or revoked as the Agent of the Impôts sees fit.
21. To acknowledge that, notwithstanding any other penalties that may be applicable under the Law or specified in this Undertaking, Article 15 (5) of the Customs & Excise (Jersey) Law 1999 entitled 'Approved Premises' states: 'Any person who fails to comply with any provision of this Article or any conditions imposed by the Agent of the Impôts under paragraph (2) shall be liable to a fine.
22. To acknowledge that any person who fails to comply with any direction given or condition or restriction imposed by the Agent of the Impôts under Article 17 of the Law shall be liable to a fine under Article 17 (3) of the Law not exceeding level 2 on the standard scale.
23. To acknowledge that under Article 65 of the Law the Agent of the Impôts may accept a sum by way of penalty, not exceeding three times the level of duty payable or the value of the goods, whichever is the greater, instead of referring a matter with a view to prosecution.

Anti-forestalling Procedures – wholesale cigarette imports only

24. To acknowledge that all cigarettes will be entered into the Bonded Store upon import and to make Import Declaration within 30 days of arrival.
25. To acknowledge that the quantity of cigarettes that can be removed from a Bonded Store in the two months preceding a change in the duty rate will be based on the average monthly removal during the previous 12 months plus two weeks. Customs

will advise the Bond Operator at the end of October of the quantities that can be removed from the Bonded Store in November and December.